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SIPDIS

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SUBJECT: NETHERLANDS/HUMAN RIGHTS COMMISSION: DUTCH
THOUGHTS ON COUNTRY RESOLUTIONS AND REFORM

Classified By: Acting Political Counselor Nathaniel Dean for reasons 1.
4 (b) and (d).

11. (C) SUMMARY: At the upcoming Commission on Human Rights (CHR) in Geneva, the Dutch want a resolution on Sudan regardless of the status of UNSC action. They expect no AU action on the DRC, which means the EU will likely have to sponsor a resolution. They think an EU resolution on Zimbabwe is unlikely. On Cuba, the Dutch expect the EU to support a USG-tabled resolution, while anticipating a hard -- and perhaps successful -- challenge from Cuba. The Dutch do not foresee Canada tabling a resolution on Iran. On Uzbekistan, the Dutch expect the EU to support an Item 19 approach. On Belarus, the Dutch think the USG should lead. The EU will discuss Chechnya with Russia at an upcoming Ministerial, then decide how to proceed at Geneva. The Dutch report that Portugal seems to favor having an East Timor resolution. The Dutch remain undecided how to approach the effort to scale back the numerous, bad Israel resolutions. On CHR reform, the Dutch favor universal membership, prefer keeping the UN Third Committee, and remain skeptical about using a Democracy Caucus at the CHR. The Dutch hope to work closely with USG counterparts this year and to avoid the problems the USG had with the EU negotiations last year. End Summary.

12. (C) Anneke Adema (MFA, Director of the Human Rights office) and Guillaume Teerling of her office met Poloff February 14 for a wide-ranging discussion of current Dutch thinking regarding country resolutions at the upcoming UN Commission on Human Rights. She reacted to USG proposals for CHR reform now circulating.

SUDAN

13. (C) The Dutch feel strongly about taking action on Sudan in Geneva regardless of the status of UNSC action. Adema emphasized "the situation deserves attention and merits a country resolution." Recalling the debacle at the end of last year's CHR on the Sudan resolution, Adema revealed she had been embarrassed by how the EU concluded the negotiations and all but promised that she would do her best, within EU councils, to ensure that the USG and EU stayed in sync this year. "That was Spring last year," she said, referring to the atmosphere in Geneva that produced the unwelcome result, "and since then we've had the Summer and Fall," she added, referring to the deterioration in the situation on the ground. (Note: The MFA will augment their Mission during the CHR by sending Sonja van der Meer for weeks one to three and Guillaume Teerling for weeks four to six; both Adema promised that both Teerling and van der Meer are prepared to work closely with USG counterparts to help avoid last minute problems in negotiations. End note.)

14. (C) Adema said the Dutch prefer that the AU "takes its responsibility for Sudan, as well as for the DRC and Zimbabwe" and, in this regard, she reported the EU is demarching in Africa on all three cases for the AU to act.

DRC AND ZIMBABWE

15. (C) In addition to Sudan, the EU hopes African States will take more responsibility for the human rights situation in the DRC and Zimbabwe. However, the EU remains realistic, Adema indicated, saying that the EU might sponsor a resolution on the DRC should the AU not.

16. (C) Zimbabwe presents a complex situation for the EU; the UK and Dutch are wary after recent setbacks, Adema said. The fact that Zimbabwe has elections scheduled for the end of March could support those in the EU who question the propriety of criticizing them before they have taken place, Adema noted. The EU thinking seems to be that tabling a Zimbabwe resolution too soon could antagonize the AU and negatively affect EU efforts on Sudan or DRC. Adema said one strategy option under discussion would be to tell the AU that they would forego a Zimbabwe resolution in exchange for the AU's agreement to work with the EU on the DRC and Sudan.

CUBA

17. (C) Adema said that Cuba viewed its narrow defeat last

year, when the Cuba resolution passed by only three votes, as an improved result from prior years and that Cuba would try to build on a momentum they see going in their favor. Recalling the no action motions that proliferated in the recent UN Third Committee, she predicted they would become more prominent in Geneva this year. Notwithstanding resent EU changes to its Cuba policy, she said she expected the EU to support a USG-sponsored Cuba resolution.

IRAN

18. (C) Adema expected no new Canadian action on Iran. She said Canada seemed pleased with the outcome of the Iran resolution in the Third Committee and was hesitant about proceeding in Geneva. She was not sure if the EU could be convinced to push that hard on a resolution should Canada table one and it would be up to Luxembourg to organize support. As an aside, Adema indicated she put little faith in Luxembourg's ability to organize such an effort.

UZBEKISTAN

19. (C) Adema said the EU is still discussing what approach to take on Uzbekistan. She anticipated the EU would support an Item 19 approach, which she said "should of course be contingent on a positive Uzbeki attitude, which she personally doubted." Nevertheless, she expected the EU consensus to form around the Item 19 option.

BELARUS

10. (C) Adema firmly suggested the USG should table a Belarus resolution that the EU would then support. She rebuffed Poloff's suggestion that the EU should show the flag on an issue relating to its near neighbor. She noted the EU team in Geneva would have enough to do with the resolutions it plans to table and that it was her opinion that it would be better for "others" (the USG) to lead on Belarus.

CHECHNYA/RUSSIA

11. (C) The EU has a "general dialogue" scheduled with Russia soon, where Chechnya is on the agenda, Adema noted. Thereafter, depending on the results, the EU will consider whether they would support CHR action.

EAST TIMOR

12. (C) The Portuguese are handling East Timor for the EU and they seem to want to have a resolution, Adema said. The EU will not do anything more generally on Indonesia this year, she added.

ISRAEL

13. (C) When urged by Poloff to support a reduction in repetitive, one-sided resolutions against Israel, Adema said the MFA's Director General was at this time considering how the Dutch would address the question and she refused to be drawn on specifics.

CHR REFORM

14. (C) Finally, Adema offered some thoughts on CHR reform.

a) Universal Membership: The Dutch do not oppose. In EU councils, Adema reported that partners rate the idea rather coolly -- as "an interesting thought"; however, no one has said they oppose and it will prove difficult to have a consensus EU opinion on it soon, she added. As for the Dutch, they feel universal membership would raise the profile of CHR action for all UN Member States, which would all have the right to participate (and by inference, ignore at their peril). Though incidents of no action motions might increase in a universal membership setting, nothing would diminish the large effect on public opinion of having a country resolution actually tabled against a human rights violator, she suggested. Moreover, universal membership would eliminate all the problems now associated with elections.

b) Eliminating the Third Committee: Adema would not support; she said it had not been discussed in EU councils as far as she knew. She saw benefits to New York/UNGA and Third Committee review of Geneva's work. Moreover, Third Committee review of the CHR had the practical, positive effect of holding two human rights discussions annually, thereby raising the profile of the human rights agenda.

c) Democratic Caucus: Adema said the MFA remains hesitant about the DC since the rules for selecting members remain problematic; it would be easier to know who not to include, she observed. She asked which countries the USG could foresee participating in a Democratic Caucus at the CHR. She added that it seemed the USG was trying to "upgrade the purpose of the DC from what was originally intended for it. She said it was her impression that the goals of the

Community of Democracies had not included working together in
a forum like the CHR.
SOBEL